

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Application No. 10/681,649	)	<i>Confirmation No. 6105</i>
Filed:	October 8, 2003	)	
Applicants:	Amy L. NEHLS et al.	)	This Notice of Appeal was electronically filed on March 11, 2009 using EFS-Web.
Title:	APPARATUS AND METHOD FOR SURFACE TREATMENT OF A FOOD PRODUCT	)	
Art Unit:	1794	)	
Examiner:	Viren A. THAKUR	)	
Attorney Docket:	1410/67565	)	
Customer No.:	48940	)	

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated November 13, 2008 finally rejecting claims 1-16 and 28-32.

- Applicants hereby petition under 37 CFR § 1.136(a) for a one-month extension of time in the above-captioned application, up to and including February 13, 2009, to make this reply timely.
- The fee for this Notice of Appeal is \$540.00 (37 CFR § 41.20(b)(1)).
- Applicants submit herewith a Pre-Appeal Brief Request For Review and a Brief in Support of Pre-Appeal Request For Review.

Application No. 10/681,649

NOTICE OF APPEAL dated March 11, 2009

Reply to Office Action/Decision of Primary Examiner of November 13, 2008

- Authorization to charge Deposit Account No. 06-1135 for the Extension Fee and Appeal Fee was given using EFS-Web.
- The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this appeal (specifically including the fee for filing a brief in support of this appeal if such brief is filed unaccompanied by full payment therefor, and the fee for filing a request for an oral hearing if such request is made unaccompanied by full payment therefor), or credit any overpayment to Deposit Account No. 06-1135.

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March 11, 2009

Date

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/Eric D. Misfeldt/

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